

G. W. Barnett  
 James G. Swisher  
 Jesse Grimes  
 S. Rhoads Fisher  
 John W. Moore  
 John W. Bower  
 Samuel A. Maverick  
 Sam P. Carson  
 A. Briscoe  
 James B. Woods  
 Asa Brigham  
 Test: H. S. Kimble,  
 Secretary

**Declaration of  
 Independence Ordered  
 Printed in Journal**

On motion of Senator Snelson and by unanimous consent the Declaration of Independence was ordered printed in the Senate Journal.

**Memorial Resolution**

S. R. No. 223—By Senator Watson: Memorial resolution for J. Boswell Newton.

**Welcome Resolutions**

S. R. No. 221—By Senator Watson: Extending welcome to Dr. J. C. Littrell of Waco.

S. R. No. 222—By Senator Watson: Extending welcome to Joe Hatcher, et al.

S. R. No. 224—By Senator Herring: Extending welcome to Martin W. Oelrich.

S. R. No. 228—By Senators Hall and Word: Extending welcome to Jack M. Tuhey.

**Adjournment**

On motion of Senator Aikin the Senate at 11:50 o'clock a.m., adjourned until 10:30 o'clock a.m., Monday, March 3, 1969.

**APPENDIX**

Sent to Governor

February 27, 1969

S. C. R. No. 22

**TWENTY-SEVENTH DAY**

(Monday, March 3, 1969)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Connally

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 27, 1969 was dispensed with and the Journal was approved.

**Leave of Absence**

Senator Connally was granted leave of absence for today on account of important business on motion of Senator Hall.

**Message From the House**

Hall of the House of Representatives  
 Austin, Texas,  
 March 3, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 44, In memory of J. C. Wilson.

S. C. R. No. 24, Authorizing the Enrolling Clerk of the Senate to make certain corrections in Senate Bill No. 90.

Respectfully submitted,  
 DOROTHY HALLMAN,  
 Chief Clerk, House of Representatives

**Reports of Standing Committees**

Senator Brooks submitted the following report:

Austin, Texas,  
February 27, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 305, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Senator Moore submitted the following report:

Austin, Texas,  
March 3, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 141, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOORE, Chairman

**Senate Bills on First Reading**

The following bills were introduced, read first time and referred to the Committees indicated:

By Senator Bates:

S. B. No. 316, A bill to be entitled "An Act validating the Incorporation, Charter and Charter Amendment Proceedings of certain Cities and Towns heretofore incorporated or attempted to be incorporated under the general laws; validating certain proceedings relating to the authorization and issuance of bonds and providing for their submission to the Attorney General of Texas; providing certain limitations on the applicability of the Act by reason of pending litigation; providing a savings clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hall:

S. B. No. 317, A bill to be entitled "An Act relating to the organization and regulation of credit unions; repealing certain laws; and declaring an emergency."

To the Committee on Banking.

By Senator Harrington:

S. B. No. 318, A bill to be entitled "An Act amending Section VI of Chapter 127, Acts of the Regular Session of the 60th Legislature (pertaining to the Texas County and District Retirement Systems) by adding a new subsection to be identified as subsection 12 of Section VI, and providing that the governing body of a subdivision operating a public hospital, utility or other public facility as successor to, or otherwise acquired from a county, city or other public corporation or agency, may allow 'prior service credit' to employees of such hospital, utility or other facility for the period of their employment there-in during the time it was operated by the predecessor county, city or other public agency, as well as by the participating subdivision prior to date of the effective date of its participation in the System; prescribing certain limitations; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Kennard:

S. B. No. 319, A bill to be entitled "An Act relating to rivers and streams, creating the Texas Natural Rivers System, stating policy, defining terms, designating certain rivers as 'Natural River Areas,' providing for additions to the system, providing for powers and duties of the Parks and Wildlife Commission and Department, restricting certain activities within natural river areas, providing for certain duties of the Texas Water Development Board and the State Health Department, providing for relief from certain liabilities of persons granting easements to the State, making provisions of this Act severable, and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Kennard:

S. B. No. 320, A bill to be entitled "An Act creating a Texas Conservation Foundation; providing powers, duties, organization, and term of office of the Texas Conservation Foundation; providing contractual powers for the Texas Conservation Foundation; providing a method for filling vacancies; authorizing the acquisition of lands by gift, bequest, donation, or purchase; authorizing the accept-

ance of money or other property of value in trust or otherwise for parks, educational, and scientific purposes; providing for tax exemption of lands and property owned or held by the Texas Conservation Foundation; providing for tax-exempt gifts or transfers to the Texas Conservation Foundation; providing a severability clause; and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Kennard:

S. B. No. 321, A bill to be entitled "An Act establishing and adopting an Antiquities Code for the State of Texas; setting forth the public policy of the State with respect to archeological and historical sites and items; providing for a system of permits and contracts for the salvage of treasure troves and the excavation or study of archeological and historical sites and objects; making it unlawful to damage or destroy archeological and historical items and sites on public or private lands; providing a penalty for violations of the Act; providing for cooperative efforts on the part of state officers, agencies and law enforcement officers to carry out the provisions of this Act; providing for injunctive relief; providing a saving clause; repealing prior statutes; and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Kennard:

S. B. No. 322, A bill to be entitled "An Act transferring the office, equipment, staff, reports, and collections of the State Archeologist from the jurisdiction of the State Building Commission to the jurisdiction of the Texas State Historical Survey Committee; setting forth the duties and responsibilities of the State Archeologist; providing contractual powers for use by the Texas State Historical Survey Committee; and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Kennard:

S. B. No. 323, A bill to be entitled "An Act creating a Texas Parks Advisory Committee; providing powers, duties, organization, and term of office of the Texas Parks Advisory Committee; providing a severability clause; and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Kennard:

S. B. No. 324, A bill to be entitled "An Act providing restrictions on government approval of programs or projects requiring the use or taking of public land devoted to certain use by the public and prescribing requirements as to notice, public hearing, and findings; and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Kennard:

S. B. No. 325, A bill to be entitled "An Act providing for commissioning of State Parks and Wildlife Department employees as peace officers, on state parks or on state historical sites, or in fresh pursuit of law violators; vesting them with the powers of peace officers; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Kennard:

S. B. No. 326, A bill to be entitled "An Act authorizing the Parks and Wildlife Department to publish information on state parks, state historic sites and state scientific areas; authorizing sale of publications; providing for the disposition of funds; and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Herring:

S. B. No. 327, A bill to be entitled "An Act repealing Chapter 60, Acts of the 52nd Legislature, Regular Session, 1951 (Article 4341a, Vernon's Texas Civil Statutes), relating to the requirement that a state agency or political subdivision of the state file with the Secretary of State a copy of each contract or agreement that it enters with the federal government."

To the Committee on Federal Programs and Relations.

By Senator Herring:

S. B. No. 328, A bill to be entitled "An Act relating to disposition of fees; compensation of members of board; amending Article 4502 of the Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on Public Health.

By Senator Hall:

S. B. No. 329, A bill to be entitled "An Act relating to adoption of rules and regulations by the State Board of Health for the use of safety glazing materials and the labeling of all glass and glazing materials; providing for enforcement of the rules and regulations by county health officers; and declaring an emergency."

To the Committee on Public Health.

By Senator Herring:

S. B. No. 330, A bill to be entitled "An Act relating to the accounting of and responsibility for state property; amending Subsection (c) of Section 4, Chapter 356, Acts of the 52nd Legislature, Regular Session, 1951 (Article 6252-6, Vernon's Texas Civil Statutes), as amended; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senator Snelson:

S. B. No. 331, A bill to be entitled "An Act relating to the punishment for murder without malice; amending Section 3-a, Chapter 274, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 1257b, Vernon's Texas Penal Code); and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Wilson:

S. B. No. 332, A bill to be entitled "An Act amending paragraph (h) of Section 5 of Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, as amended by Chapter 273, Acts of the 60th Legislature, Regular Session, 1967, codified as paragraph (h) of Section 5 of Article 8280-188 of Vernon's Annotated Civil Statutes of Texas; clarifying the powers of the Board of Directors of the Trinity River Authority of Texas over the recreational facilities which the Authority is required to develop; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Wilson:

S. B. No. 333, A bill to be entitled "An Act amending Section 6 of Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, as last amended by Chapter 273, Acts of the 60th Legislature, Regular Session, 1967, codified as Section 6 of Article 8280-188 of Vernon's Annotated Civil Statutes of the State of Texas, to

clarify the purposes for which the Board of Directors of the Trinity River Authority of Texas may expend funds under its control; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Wilson:

S. B. No. 334, A bill to be entitled "An Act amending Acts 1955, 54th Legislature, Chapter 518, as amended by Acts 1965, 59th Legislature, Chapter 173, authorizing Trinity River Authority of Texas to levy taxes not exceeding 15¢ on the \$100 valuation of taxable property for the payment of bonds and for other purposes; clarifying the purposes for which bonds may be issued by such Authority and the revenues that can be pledged to the payment thereof; permitting the exchange of bonds issued by the Authority for property of any kind, real, personal or mixed or any interest therein; making a finding in respect to publication and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Wilson:

S. B. No. 335, A bill to be entitled "An Act relating to closing state banks for reasons of insolvency; amending Article 3, Subchapter VIII, Texas Banking Code of 1943 (Article 342-803, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Banking.

By Senator Wilson:

S. B. No. 336, A bill to be entitled "An Act relating to qualifications of members of the Banking Section of the Finance Commission of Texas; amending Article 4, Subchapter I, Texas Banking Code of 1943, as amended (Article 342-104, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Banking.

By Senator Hightower:

S. B. No. 337, A bill to be entitled "An Act relating to venue for appointment of guardians; amending Section 7, Texas Probate Code; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 338, A bill to be entitled "An Act removing Foard County from the provisions of the Uniform

Wildlife Regulatory Act; amending Section 1, Chapter 730, Acts of the 60th Legislature, Regular Session, 1967 (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Hightower:

S. B. No. 339, A bill to be entitled "An Act abolishing the county board of school trustees and the office of ex officio county superintendent in certain counties, transferring the duties to the board of trustees and the superintendent of the independent school district which includes the county seat; and declaring an emergency."

To the Committee on Education.

By Senator Moore:

S. B. No. 340, A bill to be entitled "An Act authorizing the use of inmate labor and equipment on or in connection with the property or easements owned by The Trinity River Authority of Texas; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Moore:

S. B. No. 341, A bill to be entitled "An Act amending Section 5, Chapter 29, Acts of 54th Legislature, Regular Session, 1955, relating to a change in the licensing of a life insurance counselor; prohibiting advertising; and declaring an emergency."

To the Committee on Insurance.

By Senator Moore:

S. B. No. 342, A bill to be entitled "An Act relating to a change in the licensing of life insurance agents; amending Sections 5 and 10, Chapter 213, Acts of 54th Legislature, Regular Session, 1955; limiting numbers of times for license examination; redefining combination agent; granting additional powers to Insurance Commissioner; and declaring an emergency."

To the Committee on Insurance.

By Senator Patman:

S. B. No. 343, A bill to be entitled "An Act relating to additional certificates of indebtedness for the maintenance of public roads by San Patricio County; amending Chapter 17, Acts of the 59th Legislature, Regular

Session, 1965, by adding a Section 4a; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senators Aikin and Hightower:

S. B. No. 344, A bill to be entitled "An Act relating to the establishment of an advisory council for the study and research of the problems of language-handicapped children and defining the duties of the Texas Education Agency and the commissioner of education concerning study and research into the problems of language-handicapped children and the development and carrying out of diagnostic and treatment programs for such children; amending Subsections (d) and (h) of Section 3, and Sections 5 and 6, Chapter 451, Acts of the 60th Legislature, Regular Session, 1967 (Article 2654-1c, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Education.

#### Senate Resolution 229

Senator Herring offered the following resolution:

Whereas, On the 100th Anniversary of the beginning of the settlement of the frontiers of the west during the post Civil War era, the State of Texas wishes to acknowledge the many outstanding contributions of the 6th United States Cavalry during that era; and

Whereas, Of the sixty Medals of Honor awarded the military for bravery in action in the post Civil War years on Texas soil, twenty-eight of them were won by members of the 6th United States Cavalry; thirteen of these twenty-eight won in an engagement on July 12, 1870 at Wichita River while under the command of Captain Curwen Boyd McLellan; and

Whereas, One member of the thirteen Medal of Honor winners was Corporal John J. Given of Cass County, Texas; and

Whereas, Five Medals of Honor were awarded for bravery in another engagement near Wichita River in October, 1870 and an additional ten Medals of Honor were awarded for gallantry displayed in action in the Panhandle of Texas in August and late September of 1874; and

Whereas, Not only the men of the 6th United States Cavalry but also their women and children suffered the many hardships of frontier life; and

Whereas, The present day post of the Sixth Armored Cavalry Regiment is Fort George Meade, Maryland and its Commanding Officer is Colonel John R. Mitchell; and

Whereas, The Senate of the 61st Legislature wishes to acknowledge its appreciation of the sacrifices made by the men of the 6th United States Cavalry; now, therefore, be it

Resolved by the Senate of the State of Texas of the 61st Legislature, That an official copy of this Resolution be prepared for the Commanding Officer of the 6th Armored Cavalry Regiment; and be it further

Resolved, That an official copy be prepared for the State Parks Department with a request that it be displayed in a prominent place in the frame building known as the Commanding Officer's Quarters at Fort Richardson in Jacksboro, Texas, and that the building henceforth be known as the McLellan House in memory of the one-time post commander and his men; and be it further

Resolved, That the Senate of the State of Texas extend to Colonel John R. Mitchell this day the privileges of the floor and extend an invitation to him to acknowledge acceptance of this Resolution for the 6th Armored Cavalry Regiment.

HERRING  
HAZLEWOOD

The resolution was read and was adopted.

The President appointed Senators Herring, Moore and Aikin to escort Colonel Mitchell to the President's Rostrum.

The President presented Senator Herring and he presented Colonel Mitchell to the Members of the Senate.

Colonel Mitchell addressed the Senate as follows:

"Mr. President, Distinguished Members of the Senate, Ladies and Gentlemen:

"It is with pleasure, pride, humility, and a deep sense of appreciation that I appear before you today.

"I say with pleasure and pride because I have the good fortune to serve under the standard of such a distinguished organization as the Sixth Armored Cavalry Regiment—and represent it today.

"I say with humility because this honor you have rendered reminds me of the outstanding accomplishments of all those officers and troopers who have preceded me in a century of service to our country.

"I say with appreciation because you have taken time out from your heavy schedule to share these moments of recollection with us and to honor the regiment and those Texans who have helped write important chapters in its illustrious history.

"In one sense a military organization is like a person. It is a living entity. Ours—the Sixth Cavalry—has been alive and serving and fighting for 107 years. It stays young because it is made up of people who are quite young—except for one or two older ones like me.

"Like most career military people, the Regiment has seen much service in widely scattered areas of the world. It has fought many battles in places as widely scattered as Gettysburg, the Philippines, China, Mexico, and Europe. Like people, it has been stationed at many posts in the United States and Overseas. Between wars it has served in such places—besides Texas—as Florida, Georgia, Puerto Rico, Oklahoma, Arizona, New Mexico, Colorado, Kentucky, and now at Fort Meade, Maryland—just 30 miles from Washington, D. C.

"Much of its history was written in the Southwest, with an important chapter drawn right here in Texas.

"After being awarded Sixteen Battle Streamers during the War Between the States, the Regiment sailed—on 21 October, 1865, from New York to Galveston. The reason was that during the four years of conflict between North and South, the Indians and other lawless elements took full advantage of the reduced size of the Army in the West. Along the Mexican border and on the Western frontier the Comanches and Cheyennes unleashed a fury of attacks on frontier settlements. With the peace generated by Appomattox, national leaders were able to focus attention and effort on this problem. Thus, the stage was set for the Sixth Cavalry to spend roughly the next three decades helping with the pacification of the Southwest.

"Serving here in Texas from 1965 until 1871, the troopers of the Regiment became familiar with the techniques of Indian warfare. The Regi-

ment's first encounter with the Indians was in June 1866, and in the years that followed, the Fighting Sixth participated in countless battles and campaigns.

"Conditions were harsh and fights numerous for the troopers. As your resolution indicates, twenty-eight of them received their nation's highest award—the Medal of Honor and many others died in the service of their country. I might add that it was a member of the Fighting Sixth Cavalry who 'persuaded' Geronimo to surrender in 1885.

"The point is, for the kind of service which I have described today your resolution does honor to the Fighting Sixth Cavalry.

"Those of us privileged to serve in the Regiment today take pride in and draw strength from the record of those who served in the past. Yet we do not live in the past.

"The circumstances under which the troopers lived and fought a century ago are now history. The problems facing our national leaders—civilian and military—are of a different scope and magnitude—all infinitely complex. And we still live in a world in which there is no supranatural authority with strength to enforce international contracts in a world community. All of you, of course, are more knowledgeable than I am concerning these matters. However, it is in this entirely new world environment that today's Sixth Armored Cavalry Regiment stands ready as one element of the nation's Strategic Army Forces. The Strategic Army Forces (STRAF) consists of active Army units earmarked to reinforce overseas deployments or for other contingencies in support of national policy.

"Today's modernized Sixth Armored Cavalry Regiment—3000 men strong—is capable of performing a wide variety of combat missions which would astound the troopers of a century ago.

"Our horses are long gone.

"But—in their stead we have some 500 full tracked vehicles—including tanks which can fire missiles, armored personnel carriers—and vehicles which can lay bridges up to sixty feet long.

"We have nearly 400 wheeled vehicles—ranging in size from jeeps to 5-ton trucks.

"We have over 4000 weapons of all types—these range from pistols to self-propelled 155 mm artillery pieces.

"We have an air cavalry troop—which enables modern day troopers to jump in a few minutes water and other barriers which the troopers a hundred years ago would have found impassable or would have taken days or weeks to traverse.

"And we have nearly a thousand radios which enable elements of the regiment to operate effectively over distances up to 150 miles.

"This, briefly, is a thumbnail sketch of the young and modern version of the Sixth Cavalry which you are honoring today.

"Again, I am deeply grateful for the honor that you have bestowed on the Regiment. Thank you."

At the conclusion of the address by Colonel Mitchell, he presented Lieutenant Governor Barnes a reproduction of the Regiment's Crest—a Unicorn.

Lieutenant Governor Barnes accepted the Crest, stating:

"Thank you very much, Colonel. We are grateful for the plaque, but more than that we are grateful for the life of service of you, Colonel, and for the dedication and service of your colleagues.

"Thank you for coming. We are grateful to you."

#### Co-Author of Senate Resolution 229

On motion of Senator Hazlewood and by unanimous consent, he will be shown as Co-Author of S. R. No. 229.

#### Address of Colonel John R. Mitchell Ordered Printed in Senate Journal

On motion of Senator Hightower and by unanimous consent the address of Colonel Mitchell was ordered printed in the Senate Journal.

#### Address of Lieutenant Governor Barnes Ordered Printed in the Senate Journal

On motion of Senator Grover and by unanimous consent, the address of the President of the Senate in accepting the reproduction of the Regiment's Crest—the Unicorn—was ordered printed in the Senate Journal.

#### Escort Committee for the Honorable Crawford C. Martin

The President appointed the following as a Committee to escort The

Honorable Crawford C. Martin pursuant to provisions of H. C. R. No. 41:

Senators Word, Hazlewood, Moore, Ratliff and Aikin.

**Address of Attorney General Martin  
Ordered Printed in the Senate  
Journal**

On motion of Senator Word and by unanimous consent, the address of Attorney General Crawford C. Martin to the Joint Session was ordered printed in the Senate Journal.

**Motion to Adjourn**

Senator Aikin moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow subject to the Joint Session to be held today to hear the address of Attorney General Crawford C. Martin.

**Joint Session**

(To hear address of The Honorable Crawford C. Martin, Attorney General of Texas.)

The President announced the time had arrived to hear an address by The Honorable Crawford C. Martin, pursuant to the provisions of H. C. R. No. 41.

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

On invitation of the Speaker of the House, the President occupied a seat on the Speaker's Platform.

The Honorable Crawford C. Martin and his party were escorted to the Speaker's Rostrum by Senators Word, Hazlewood, Moore, Ratliff and Aikin, on the part of the Senate, and Representatives McDonald, Hale, Ross, Joe Shannon, Jr., Ray, Knapp, Moore of Hill, Dickson and Price, on the part of the House.

The President called the Senate to order, and announced a quorum of the Senate present.

Honorable Gus Mutscher, Speaker of the House of Representatives, called the House to order and an-

nounced a quorum of the House present and stated the purpose of the Joint Session.

The Speaker of the House presented The Honorable Crawford C. Martin, Attorney General of Texas, who addressed the Joint Session as follows:

Mr President, Mr. Speaker, Members of the 61st Legislature:

"One hundred and thirty-three years ago yesterday, Texas declared its independence at Washington-on-the-Brazos.

"While independence wasn't actually won on the battlefield until San Jacinto seven weeks later, March 2 is the date we celebrate as the birthday of Texas.

"Let's consider the events of 1836 and all of the 133 years since then as they relate to Texas today.

"I am deeply grateful to you for inviting me here to help you observe this traditional holiday.

"This is a good time of year for every Texan to read the Declaration of Independence of the Republic of Texas.

"We probably don't pay enough attention to the great documents of the past which still play such a vital role in shaping our destiny.

"The Declaration of March 2 is a living document.

"In clear words it tells the complete story of what was happening at that particular time in our history.

"It's an indignant document. It breathes plenty of fire and doesn't mince words about the grievances of the people of Texas against the military dictatorship which then ruled Mexico, grievances such as:

—Denial of trial by jury.

—Intimidation of the government by force of arms.

—Refusal to establish a system of public education.

—Oppression by military commanders.

—Denial of religious freedom.

—Disruption of civil authority.

"But after you review the grievances you see something else in the Declaration of Independence. You see the horror that must have stricken every Texan in Texas faced with the point of a bayonet.

"The military government, said the Declaration, 'has invaded our country, both by sea and by land, with intent to lay waste our territory and drive us from our homes; and has now



a large mercenary army advancing to carry on against us a war of extermination.

"It has, through its emissaries, incited the merciless savage, with the tomahawk and scalping knife, to massacre the inhabitants of our defenseless frontiers."

"War of extermination . . . massacre . . . those are pretty strong words."

"The passage of time often dims the real flesh and bone events of history."

"We think of disputes in terms of one side having a set of principles and the other side disagreeing with those principles."

"To think of a dispute in terms of life and death is too melodramatic for our tastes 133 years after the fact."

"But it wasn't melodrama to the signers of the Declaration of Independence."

"When they referred to 'war of extermination,' they knew what they were talking about."

"So the Texans of that day were responding to what they called 'the necessity of self-preservation.'"

"Of course, this is one of the basic human instincts."

"And it is just as basic to nations as it is to individuals."

"We have spent our blood many times to create and to preserve this country and this state."

"We have spent our toil and treasure to build here the most effective system of government anywhere."

"But we still must respond to what the delegation at Washington-on-the-Brazos called 'the necessity of self-preservation.'"

"We are under siege right now just as surely as the defenders of the Alamo were under siege when our independence was declared."

"It's not a war of extermination or a massacre, so we don't get overly excited about it."

"The attack is centered in the simple accusation by a good many articulate people that the country is sick."

"Television and the newspapers tell us again and again just how sick we are."

"Well, I'm sick of being told I'm sick."

"I happen to feel pretty good."

"This Legislature looks pretty healthy to me."

"But far more important than that, this Country looks healthy . . . except for a few parasites."

"Unfortunately, the people who claim we are a 'sick society' have passed themselves off as the real thinkers—the genuine brain trust. Everyone who doesn't agree with them is an undereducated dunce."

"They tell us that rioters and looters aren't responsible for their acts at all. It's the fault of the sick society."

"The same philosophy prevails in regard to the common criminal who breaks the law as an occupation, and the junior-grade revolutionist who breaks the law as a fad."

"The brain trust goes on to tell us that the United States has been a failure—

—a failure in the war on poverty.

—a failure in combatting prejudice.

—a failure in defending freedom."

"The most fashionable idea in America today is to build up a mass guilt complex for all of the wrongs of humanity."

"Are things really so bad that we should stop believing in ourselves?"

"Are our values all out of kilter and ready for the ashcan?"

"Are we all guilty—every man, woman and child in America—of the violence, the anarchy, the political assassinations, the crime that has been occurring in this country?"

"I say the answer is 'no.'"

"As a group we deserve some of the blame for the problems of our nation."

"But we simply cannot abandon the concept of individual responsibility for individual acts against society."

"If we ever do, we will lose the battle for decency and honor."

"We will lose the battle for law and order."

"We will lose the battle for rule by majority, where every man's vote counts and every man's voice can be heard."

"These battles must not be lost."

"Here in 1969 let's be guided by the same instincts as the early Texans: 'the necessity of self-preservation.'"

"So, if we wrote a 1969 Declaration of Independence, it might contain this statement of principles:

—That we intend to preserve our Constitution and laws against all assaults by our enemies, foreign and domestic.

—That we shall not be intimidated by mob rule.

—That we shall have free speech for everyone, not just the loudmouths of the New Left.

—That it is our democratic right

to have protection from crime and lawlessness.

—That the elected representatives of the people in the Congress and in this Legislature, have the paramount responsibility to preserve laws that are just and change laws that are unjust, by free and open debate in an orderly, democratic system.

"The writers of the Texas Declaration of Independence in 1836 warned us of the consequences of weak civil government. Let me quote you the words:

"In consequence of such acts of malfeasance and abdication, on the part of the government, anarchy prevails, and civil society is dissolved into its original elements."

"As I said, our concerns today aren't the same as they were in early Texas.

"We aren't worried about 'a large mercenary army advancing to carry on against us a war of extermination.'"

"But I do believe we have a legitimate worry that civil society in America may be driven to dissolve into its 'original elements.'"

"That seems to express the goal of those who would tear America apart, out of guilt, out of anger, out of soft-headedness, or worst of all, out of cold-blooded intent.

"The challenge confronts this Legislature to cope with the problems of our state as they exist in 1969 and as we can project them into the future.

"In my opinion, the problems connected with lawlessness are among our most serious.

"It's the fashion today for all of us to campaign on a platform of law and order . . . from the Presidency on down.

"Now, you and I have the opportunity to deliver.

"The President doesn't have the ball on this play. The Congress doesn't have. We do, right here in Texas, because this is where the Constitution put the main responsibility for enforcing the law.

"This Legislature will be considering many bills which should be useful in the furtherance of justice, law and order.

"It has been my pleasure as Attorney General to work with you individually and at the committee level in developing better laws for the protection of the public.

"I promise you my continued cooperation and counsel at all times.

"And as all of us work together, I hope we keep the thought foremost in our minds that, comparatively speaking, we have very little to be ashamed of in this country.

"Regretfully, we still have prejudice because of race, religion or region.

"Regretfully, we still have people in poverty and people without jobs.

"Regretfully, we still have injustices of a good many varieties.

"But when we criticize ourselves, let's remember some other things about our country.

"This is a nation so strong that it can maintain troops and navies all over the world, fight a war 10,000 miles away, and still spend billions of dollars to conquer poverty, disease and hunger.

"This is a nation so strong that it has shared its wealth with weaker countries, offered friendship to old enemies and help to almost anybody who wants it, and still has enough left over to fly men to the moon.

"This is a nation so strong that it can spend more, tax more and owe more than any lunatic could have predicted a few years ago, and still be the most productive and prosperous society known to man.

"That's the kind of country we have and the kind of society we have.

"I believe it's worth preserving and building upon."

At the conclusion of the Joint Session, the Speaker of the House presented Mrs. Margaret Martin, the lovely wife of Attorney General Martin to the Joint Session. He also presented Mrs. Sherry Hill, the daughter of Attorney General Martin to the Joint Session.

#### Adjournment

The President announced that the purpose of the Joint Session having been concluded, declared the Senate at 11:23 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow, in accordance with a motion previously adopted in the Senate.

#### Memorial Resolutions

S. R. No. 230—By Senator Moore: Memorial resolution for William Foster (Bill) Newton.

S. R. No. 233—By Senator Aikin: Memorial resolution for Joe J. Early.

S. R. No. 234—By Senator Aikin: Memorial resolution for Loy W. Hartsfield.

**Welcome Resolutions**

S. R. No. 231—By Senator Patman. Extending welcome and privileges of the floor to Mrs. Robert Rick and Mrs. Robert B. Campbell of Victoria.

S. R. No. 232—By Senator Kennard: Extending welcome and privileges of the floor to Mr. and Mrs. Gene Moore and daughter, Lynne, of Fort Worth.

S. R. No. 235—By Senator Watson: Extending welcome to Othell Neely, et al.

S. R. No. 236—By Senator Aikin: Extending welcome and privileges of the floor to Dr. William H. Long.

S. R. No. 237—By Senator Aikin: Extending welcome and privileges of the floor to C. C. Rainey.

**TWENTY-EIGHTH DAY**

(Tuesday, March 4, 1969)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Resolution Signed**

The President signed in the presence of the Senate after the caption

had been read, the following enrolled resolution:

S. C. R. No. 24, Directing the Enrolling Clerk of the Senate to make certain corrections in S. B. No. 90.

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
March 4, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 46, Expressing appreciation to the Houston Junior Chamber of Commerce for its hospitality to the Legislature of the State of Texas.

H. C. R. No. 47, Congratulating the American Field Service students.

H. B. No. 107, A bill to be entitled "An Act relating to the grading, classification and sale of eggs; amending Sections 3, 4, 8, and 9, Chapter 133, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 165-8, Vernon's Texas Civil Statutes), and adding a new Section 16a; and declaring an emergency."

H. B. No. 166, A bill to be entitled "An Act relating to the continuance of suits, proceedings ancillary or preliminary to suits, or matters of probate when a party or attorney of a party to the cause is a Member of the Legislature; amending Section 1, Chapter 7, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 2168a, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 287, A bill to be entitled "An Act concerning vocational rehabilitation, defining certain terms, providing for authority of the State agency administering a program of vocational rehabilitation to supply extended rehabilitation services, including contracting for extended sheltered workshop employment opportunity and extended community residence; providing for contributions by persons participating in vocational rehabilitation; providing for establishment of standards for service and staffing in contract agencies; providing for the receipt and expenditure of any funds available for implemen-